

SENATE BILL No. 301

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-33-2; IC 20-51-1.

Synopsis: Age for compulsory school attendance. Provides that, beginning with the 2015-2016 school year, a student shall enroll in a kindergarten program not later than the fall term of the school year in which the student becomes five years of age (rather than seven years of age). Makes conforming amendments.

Effective: July 1, 2015.

Taylor

January 8, 2015, read first time and referred to Committee on Education & Career Development.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 301

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-33-2-6, AS AMENDED BY P.L.242-2005,
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 6. A student is bound by the requirements of this
4 chapter from the earlier of the date on which the student officially
5 enrolls in a school or, except as provided in section 8 of this chapter,
6 the beginning of the fall school term for the school year in which the
7 student becomes ~~seven (7)~~ **five (5)** years of age until the date on which
8 the student:
9 (1) graduates;
10 (2) becomes eighteen (18) years of age; or
11 (3) becomes sixteen (16) years of age but is less than eighteen
12 (18) years of age and the requirements under section 9 of this
13 chapter concerning an exit interview are met enabling the student
14 to withdraw from school before graduation;
15 whichever occurs first.
16 SECTION 2. IC 20-33-2-7, AS AMENDED BY P.L.246-2005,



SECTION 177, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2015]: Sec. 7. (a) In addition to the
requirements of sections 4 through 6 of this chapter, a student must be
at least five (5) years of age on:

(1) July 1 of the 2005-2006 school year; or

(2) August 1 of the 2006-2007 school year or any subsequent
school year;

to officially enroll in a kindergarten program offered by a school
corporation. However, subject to subsection (c), the governing body of
the school corporation shall adopt a procedure affording a parent of a
student who does not meet the minimum age requirement set forth in
this subsection the right to appeal to the superintendent for enrollment
of the student in kindergarten at an age earlier than the age set forth in
this subsection.

(b) In addition to the requirements of sections 4 through 6 of this
chapter and subsection (a), and subject to subsection (c), if a student
enrolls in school as allowed under section 6 of this chapter and has not
attended kindergarten, the superintendent shall make a determination
as to whether the student shall enroll in kindergarten or grade 1 based
on the particular model assessment adopted by the governing body
under subsection (c).

(c) To assist the principal and governing bodies, the department
shall do the following:

(1) Establish guidelines to assist each governing body in
establishing a procedure for making appeals to the superintendent
under subsection (a).

(2) Establish criteria by which a governing body may adopt a
model assessment that may be used in making the determination
under subsection (b).

**Beginning with the 2015-2016 school year, a student shall enroll in
a kindergarten program not later than the fall term of the school
year in which the student becomes five (5) years of age.**

SECTION 3. IC 20-33-2-8, AS ADDED BY P.L.1-2005, SECTION
17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
2015]: Sec. 8. A student is not bound by the requirements of this
chapter until the student becomes ~~seven (7)~~ **five (5)** years of age, if,
upon request of the superintendent of the school corporation, the parent
of a student who would otherwise be subject to compulsory school
attendance under section 6 of this chapter certifies to the
superintendent that the parent intends to:

(1) enroll the student in a nonaccredited, nonpublic school; or

(2) begin providing the student with instruction equivalent to that



given in the public schools as permitted under section 28 of this chapter;
not later than the date on which the student becomes ~~seven (7)~~ **five (5)** years of age.

SECTION 4. IC 20-51-1-4.3, AS ADDED BY P.L.205-2013, SECTION 310, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4.3. "Eligible choice scholarship student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on ~~the date in~~ **August 1 of** the school year; ~~specified in IC 20-33-2-7;~~ and
- (3) meets at least one (1) of the following conditions:

(A) The individual is:

- (i) a child with a disability who requires special education and for whom an individualized education program has been developed under IC 20-35 or a service plan developed under 511 IAC 7-34; and
- (ii) a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

(B) The individual is:

- (i) an individual who, because of the school corporation's residency requirement, would be required to attend a specific public school within a school corporation that has been placed in the lowest category or designation of school improvement under IC 20-31-8-4 (has been assigned an "F" grade); and
- (ii) except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

An individual to whom this clause applies is not required to attend the public school before becoming eligible for a choice scholarship, and may not be required to return to the public school if the public school is placed in a higher category or designation under IC 20-31-8-4.

(C) Except as provided in IC 20-51-4-2.5, the individual is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required



for the individual to qualify for the federal free or reduced price lunch program and the individual was enrolled in kindergarten through grade 12, in a public school, including a charter school, in Indiana for at least two (2) semesters immediately preceding the first semester for which the individual receives a choice scholarship under IC 20-51-4.

(D) The individual or a sibling of the individual who, except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and satisfies either of the following:

(i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.

(ii) The individual or a sibling of the individual receives for the first time after June 30, 2013, a scholarship of at least five hundred dollars (\$500) from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.

SECTION 5. IC 20-51-1-5, AS AMENDED BY P.L.211-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. "Eligible student" refers to an individual who:

- (1) has legal settlement in Indiana;
- (2) is at least five (5) years of age and less than twenty-two (22) years of age on ~~the date in~~ **August 1** of the school year; ~~specified in IC 20-33-2-7;~~
- (3) either has been or is currently enrolled in a participating school; and
- (4) is a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.

